

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

KARL JOSHUA,

Plaintiff,

v.

JAMES DZURENDA, et al.,

Defendants.

Case No. 2:23-cv-01087-MMD-MDC

ORDER

This action began with a pro se civil-rights complaint under 42 U.S.C. § 1983 submitted by a state prisoner. Plaintiff has applied to proceed *in forma pauperis* in this action. (ECF Nos. 7, 11). The Court noted in its February 8, 2024, screening order that Plaintiff might not be eligible for *in forma pauperis* status based on the financial information he provided. (ECF No. 13 at 1 n.1). Plaintiff has since paid the full filing fee in this matter. (ECF No. 20). The Court entered orders allowing certain claims to proceed, staying this action for 90 days, and The Court entered subsequent orders staying this action for 90 days, and assigning the parties to mediation by a court-appointed mediator. (ECF Nos. 13, 15, 18). The parties did not reach a settlement at the mediation conference. (ECF No. 19).

**IT IS THEREFORE ORDERED** that:

1. Plaintiff's application to proceed *in forma pauperis* (ECF Nos. 7, 11) is denied as moot.

2. The Clerk of the Court will electronically **SERVE** a copy of this order and a copy of Plaintiff's Amended Complaint (ECF No. 6) on the Office of the Attorney General of the State of Nevada, by adding the Attorney General of the State of Nevada to the docket sheet. This does not indicate acceptance of service.

3. Service must be perfected within 90 days from the date of this order under Federal Rule of Civil Procedure 4(m).

1           4.       Subject to the findings of the screening order (ECF No. 13), within 21 days  
2 of the date of entry of this order, the Attorney General's Office will file a notice advising  
3 the Court and Plaintiff of: (a) the names of the defendants for whom it accepts service;  
4 (b) the names of the defendants for whom it does not accept service, and (c) the names  
5 of the defendants for whom it is filing the last-known-address information under seal. As  
6 to any of the named defendants for whom the Attorney General's Office cannot accept  
7 service, the Office will file, *under seal*, but will not serve the inmate Plaintiff the last known  
8 address(es) of those defendant(s) for whom it has such information. If the last known  
9 address of the defendant(s) is a post office box, the Attorney General's Office will attempt  
10 to obtain and provide the last known physical address(es).

11           5.       If service cannot be accepted for any of the named defendant(s), Plaintiff  
12 will file a motion identifying the unserved defendant(s), requesting issuance of a  
13 summons, and specifying a full name and address for the defendant(s). For the  
14 defendant(s) as to which the Attorney General has not provided last-known-address  
15 information, Plaintiff will provide the full name and address for the defendant(s).

16           6.       If the Attorney General accepts service of process for any named  
17 defendant(s), such defendant(s) will file and serve an answer or other response to the  
18 Amended Complaint within 60 days from the date of this order.

19           7.       Plaintiff will serve upon defendant(s) or, if an appearance has been entered  
20 by counsel, upon their attorney(s), a copy of every pleading, motion or other document  
21 submitted for consideration by the Court. If Plaintiff electronically files a document with  
22 the Court's electronic-filing system, no certificate of service is required. Fed. R. Civ. P.  
23 5(d)(1)(B); Nev. Loc. R. IC 4-1(b); Nev. Loc. R. 5-1. But if Plaintiff mails the document to  
24 the Court, Plaintiff will include with it a certificate stating the date that a true and correct  
25 copy of the document was mailed to the defendants or counsel for the defendants. If  
26 counsel has entered a notice of appearance, Plaintiff will direct service to the individual  
27 attorney named in the notice of appearance, at the physical or electronic address stated  
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1 therein. The Court may disregard any document received by a district judge or magistrate  
2 judge that has not been filed with the Clerk, and any document received by a district  
3 judge, magistrate judge, or the Clerk that fails to include a certificate showing proper  
4 service when required.

5 8. This case is no longer stayed.

6 Dated this 17th day of June 2024.

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9 Hon. Maximiliano D. Couvillier III  
10 UNITED STATES MAGISTRATE JUDGE  
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